

# UNION PACIFIC RAILROAD COMPANY

Western Region - Transportation

Al Hallberg, Dir. Labor Relations  
Tel: (916) 789-6345  
Fax: (916) 789-6445

10031 Foothills Blvd.  
Roseville, CA 95747



February 11, 2003

FEB 18 2003

GENERAL DELIVERY

J. Kevin Klein, General Chairperson  
United Transportation Union  
UP-Western Lines  
501 Mission Street, Suite A  
Santa Cruz, CA 95060

Dear Mr. Klein:

In conference on November 12, 2002, and in a follow-up conference on January 17, 2003, we discussed a case relating to the application of the crew consist agreement to situations in which a made-up extra crew is called.

The basic crew consist agreement defines a "standard crew" in yard service as a foreman and two yard helpers. The agreement defines a "reduced crew" in yard service as a foreman and one yard helper. The agreement provides for a reduction from standard crews to reduced crews by attrition. The October 20, 1997 merger modification agreement provided for the operation of a percentage of yard crews, foremen only. However, the modification agreement also specifically preserved the crew consist agreement. Section 2 of Article 1 of the Crew Consist Agreement provides in pertinent part as follows:

"No yard assignment will operate as a reduced crew when a protected extra switchman is available...."

Award No. 131 of Public Law Board No. 2472 between the Southern Pacific and the UTU Western Lines in resolving a case arising in Colton Yard on December 13, 1992 ruled that extra made up switch crews must be "standard" crews if there is sufficient manpower available. The award stated in pertinent part as follows:

"Upon review of the entire record, the Board finds no evidence that Section 2 of Article 1 of the Implementing Agreement has been modified.

As pointed out by the Carrier, an agreement was reached with the trainmen to accomplish the filling of only must-fill jobs from boards with a guarantee in effect, but a similar agreement was not reached with the switchmen."

Based on the foregoing, it is clear that the Company was obligated to fill out the crew and use a "standard" crew in each of the claims at issue herein. These claims will be disposed of as indicated on Attachment A hereto.

Page 2

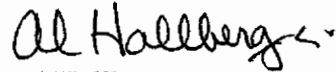
J. Kevin Klein, General Chairperson  
UTU

---

In consideration of these payments, from now on when extra made-up switch crews are called off the extra board, they may be called with a foreman and helper only unless there is a crew consist protected employee (an employee with a seniority date of June 25, 1984 or earlier) in first out position on the extra board standing for call as second helper.

To indicate your acceptance of this settlement, please sign in the space provided below.

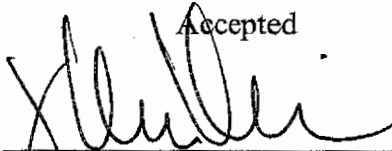
Sincerely,



Al Hallberg  
Director, Labor Relations

AH-Klein71

Enc.

Accepted  
  
\_\_\_\_\_  
J. Kevin Klein, General Chairperson  
United Transportation Union